



## PLANNING COMMISSION AGENDA

### Regular Meeting

**7:00 P.M. on Tuesday, May 28, 2019**

Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, California

1. **CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG**
2. **ADMINISTRATIVE**
  - 2.a. Review of agenda items.
  - 2.b. Declaration of Conflict of Interest.
  - 2.c. Commissioner Frank Gavidia to report at the City Council meeting of June 4, 2019 (alternate Vice Chair Peter Cloven).
3. **PUBLIC COMMENT**
4. **MINUTES**
  - 4.a. Approval of the minutes for the May 14, 2019 Planning Commission meeting.
5. **PUBLIC HEARINGS**

None.
6. **OLD BUSINESS**

None.
7. **NEW BUSINESS**
  - 7.a. **GPA-01-19, City of Clayton.** Review of the Fiscal Year 2019-2020 Capital Improvement Program Projects for Conformity with the Clayton General Plan.

**Staff Recommendation:** Staff recommends that the Planning Commission find the City's Capital Improvement Program Projects for the Fiscal Year 2019-2020 are in conformity with the Clayton General Plan. And, pursuant to the California Environmental Quality Act (CEQA), Section 15061(b)(3), it can be seen with certainty that there is no possibility that finding the Capital Improvement Program in conformance with the General Plan may have a significant effect on the environment; it is, therefore, not subject to CEQA, and, additionally, since this is a consistency finding, the previous environmental documentation for the General Plan is adequate CEQA documentation.

**8. COMMUNICATIONS**

- 8.a. Staff.
- 8.b. Commission.

**9. ADJOURNMENT**

- 9.a. The next regular meeting of the Planning Commission is scheduled for **Tuesday, June 11, 2019.**

Most Planning Commission decisions are appealable to the City Council within ten (10) calendar days of the decision. Please contact Community Development Department staff for further information immediately following the decision. If the decision is appealed, the City Council will hold a public hearing and make a final decision. If you challenge a final decision of the City in court, you may be limited to raising only those issues you or someone else raised at the public hearing(s), either in oral testimony at the hearing(s) or in written correspondence delivered to the Community Development Department at or prior to the public hearing(s). Further, any court challenge must be made within 90 days of the final decision on the noticed matter. If you have a physical impairment that requires special accommodations to participate, please contact the Community Development Department at least 72 hours in advance of the meeting at 925-673-7340. An affirmative vote of the Planning Commission is required for approval. A tie vote (e.g., 2-2) is considered a denial. Therefore, applicants may wish to request a continuance to a later Commission meeting if only four Planning Commissioners are present.

Any writing or documents provided to the majority of the Planning Commission after distribution of the agenda packet regarding any item on this agenda will be made available for public inspection in the Community Development Department located at 6000 Heritage Trail during normal business hours.

**Minutes**  
**Clayton Planning Commission Meeting**  
**Tuesday, May 14, 2019**

**1. CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG**

Chair Bassam Altwal called the meeting to order at 7:00 p.m. at Hoyer Hall, 6125 Clayton Road, Clayton, California.

Present: Chair Bassam Altwal  
Commissioner William Gall  
Commissioner Frank Gavidia

Absent: Vice Chair Peter Cloven  
Commissioner A.J. Chippero

Staff: Interim Community Development Director David Woltering  
Assistant Planner Milan Sikela, Jr.

**2. ADMINISTRATIVE**

- 2.a. Review of agenda items.
- 2.b. Declaration of Conflict of Interest.
- 2.c. Chair Bassam Altwal to report at the City Council meeting of May 21, 2019.

**3. PUBLIC COMMENT**

None.

**4. MINUTES**

- 4.a. Approval of the minutes for the March 12, 2019 Planning Commission meeting.

**Commissioner Gall moved and Commissioner Gavidia seconded a motion to approve the March 12, 2019 Planning Commission minutes, as submitted. The motion passed 3-0.**

**5. PUBLIC HEARINGS**

- 5.a. **ZOA-03-19; Ordinance Extending the Town Center Parking Waiver; City of Clayton.** Review and consideration of a proposed Ordinance to extend the on-site parking waiver in the Town Center area for three years, from June 30, 2019 to June 30, 2022. The purpose of the proposed extension is to provide incentive to promote development activity in the Town Center area for retail and restaurant land uses.

Interim Director Woltering presented the staff report.

Commissioner Gavidia asked how many parking spaces currently exist in the Town Center.

Interim Director Woltering indicated the following:

- He did not recall the number but the information of existing parking spaces in the Town Center is listed in the Town Center Parking Study. The Director stated he would obtain that information and provide the exact number of parking spaces to the Planning Commission as soon as possible following the meeting.
- Staff has observed no adverse impacts to the availability of parking in the Town Center from new development such as the Flora Square building.
- From staff's perspective, parking currently exists in the Town Center to accommodate potential parking demands of new development.

The public hearing was opened.

Ann Stanaway, 1553 Haviland Place, asked where the Creekside Terrace project site is located in the Town Center.

Chair Altwal indicated that the Creekside Terrace project site is located on the west side of Oak Street between Center Street and High Street near Mitchell Creek.

The public hearing was closed.

Commissioner Gavidia indicated that it might be good for the City to revise the Town Center parking requirements so that the relaxing of the parking requirements (as is the purpose and intent of the parking waiver) could become permanent.

Chair Altwal asked if the City should take a look at an ordinance that would relax the Town Center parking requirements permanently.

Interim Director Woltering indicated the following:

- From staff's perspective, having a monitoring plan with regard to the Town Center parking requirements is beneficial to the community so that the City can analyze the parking involved with each new project that might be proposed in the Town Center.
- Given the different uses in the Town Center ranging from the annual events and activities that this community cherishes to the new development that the City has tried so hard to encourage, the parking waiver (and its ongoing extensions) allows a method for the City to both incentivize development in the Town Center as well as monitor possible parking impacts.

**Commissioner Gall moved and Commissioner Gavidia seconded a motion to adopt Resolution 02-19, recommending City Council approval of an Ordinance extending the parking waiver in the Town Center area until June 30, 2022. The motion passed 3-0.**

## 6. OLD BUSINESS

None.

**7. NEW BUSINESS**

None.

**8. COMMUNICATIONS**

8.a. Staff.

Interim Director Woltering provided the following updates:

- At their meeting of May 7, 2019, the City Council adopted an Urgency Ordinance to establish applicable regulations, design regulations, and development standards for small cell sites in the public right-of-way. Staff is also working with the City Council to draft a regular ordinance to address small cell sites; however, the Urgency Ordinance was adopted as a result of interest among cell carriers to locate small cell sites in the public right-of-way and the City wanted to ensure that a regulatory package would be readily available in the circumstances that small cell site projects are proposed.
- Staff is working on drafting an accessory dwelling unit ordinance and regulatory package to address the new accessory dwelling unit requirements established by the State.

Assistant Planner Sikela introduced Interim Community Development Director David Woltering to the Planning Commission, indicated it is a joy to work with him again, and explained that many of the projects and community improvements occurred when he was the Community Development Director for Clayton from 2008 to 2013.

8.b. Commission.

None.

**9. ADJOURNMENT**

- 9.a. The meeting was adjourned at 7:28 p.m. to the next regularly-scheduled Planning Commission meeting on May 28, 2019.

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Submitted by  
David Woltering, AICP  
Interim Community Development Director


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Approved by  
Bassam Altwal  
Chair

**PLANNING COMMISSION  
STAFF REPORT**

**Meeting Date:** May 28, 2019

**Item Number:** 7.a

**From:** David Woltering  
Interim Community Development Director 

**Subject:** Review of FY 2019/20 Capital Improvement Program Projects for Conformity with the Clayton General Plan (GPA-01-19)

**Applicant:** City of Clayton

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**BACKGROUND/DISCUSSION**

Section 65401 of the California Government Code requires the Planning Commission to determine if projects proposed in the City's Capital Improvement Program (CIP) for the upcoming fiscal year are in conformity with the General Plan. Projects in the City's 2019/20-2023/24 CIP are listed below. Additionally, citations from the Clayton General Plan are provided related to a particular project's conformity with the General Plan.

1. Clayton Community Park Lower Field Rehabilitation (CIP No. 10440)

In response to feedback from soccer and baseball groups and an on-site assessment of the premises, a rehabilitation of the lower baseball/softball field (Field #1) in the Clayton Community Park was incorporated into the CIP budget two years ago. The City's Maintenance Department previously estimated costs of the rehabilitation project to be approximately \$50,000, which was approved to be funded by a partial allocation of the garbage franchise community enhancement fee. However, a re-examination of the original project budget by the City Engineer resulted in a revised project estimate of \$100,000, with the additional costs currently being presented as "unfunded" in the FY 2018-19 CIP budget requiring additional City Council direction. It is expected this project will commence and be completed in FY 2019-20 once identification and authorization of gap funding is given.

Projected Expenditures in FY 2019-20: **\$100,000**

*General Plan Conformity: The rehabilitation of playing fields at Clayton Community Park conforms to the General Plan by supporting Policy 2c of the Open Space/Conservation Element to "[r]eview each park/greenbelt area for maintenance needs..." and Policy 3a of the Community Facilities Element to "[i]dentify the facilities desired by the community, i.e., soccer/playfield, swimming complex, tennis courts, library, community playhouse and public meeting rooms."*

2. North Valley Playground Rehabilitation (CIP No. 10442)

In response to feedback from residents in the community and an on-site assessment of the premises, a rehabilitation of the North Valley neighborhood park tot lot and surrounding premises was incorporated into the CIP budget two years ago. The scope of work includes replacement of the resilient play surface, purchase and installation of new play apparatus, planting of "shade" trees, and installation of three (3) shade structures similar to those at the Clayton Community Park Picnic Area #5. The purpose of the shade structures is to provide much needed shelter from the sun given the absence of mature shade-providing trees in the park.

The CIP budget includes a total estimated project cost of \$168,575, equal to the funding authorized and currently available. The City Council authorized funding for this project from two sources. The portion of the Open Space In-Lieu development impact fee balance designated for "active areas" will provide \$142,000 in funding for the project, with the remaining \$23,800 in funding coming from unallocated CIP fund interest earnings. Throughout FY 2018-19 staff has been prudently attempting to obtain competitive quotes as stipulated by the City's procurement policy, despite repeated delays given the limited number of contractors that are willing and able to provide such a quote. Staff expects a recommendation for award of contract will be provided to the City Council by the close of FY 2018-19 with construction expected to commence and be completed in FY 2019-20.

Projected Expenditures in FY 2019-20: **\$168,575**

*General Plan Conformity: The rehabilitation of the playground at North Valley Neighborhood Park conforms to the General Plan by supporting Policy 2c of the Open Space/Conservation Element to "[r]eview each park/greenbelt area for maintenance needs..." and Policy 3a of the Community Facilities Element to "[i]dentify the facilities desired by the community, i.e., soccer/playfield, swimming complex, tennis courts, library, community playhouse and public meeting rooms."*

3. City Hall Front Door ADA Accessibility Project (CIP No. 10443)

This project was added by the City Council to the CIP budget during FY 2017-18 to address feedback from constituents that the City Hall entryway doors were extremely heavy and difficult for some to open, bringing into question compliance with the Americans with Disabilities Act (ADA). Further related research by the City Attorney's office resulted in a finding that, despite its historical status and listing on the California Register of Historic Buildings, the Clayton City Hall building is not exempt from compliance with the rigorous ADA requirements. Accordingly, on September 19, 2017, the City Council awarded a low-bid contract to Greentech Industry to bring the entryway doors of City Hall into compliance. Pursuant to project specifications prepared by the City Engineer, the scope of this project included the installation of a push-button activated power door opening system for the main entry door, one of the two interior lobby entry doors, and for the City Hall Courtyard exterior public restroom door. Funding for this project, in order of significance, was derived from community facilities development impact fees, City Council earmarked General Fund excess reserves, and undesignated CIP fund interest earnings. This project is expected to be completed during FY 2019-20 with total costs since inception estimated at \$46,666.

Projected Expenditures in FY 2018-19: **\$40,224**

*General Plan Conformity: Improving City Hall to address ADA accessibility requirements conforms to the General Plan by supporting Policy 1g of the Community Facilities Element to “[i]dentify needs for public facilities including City Hall capacity, library and cultural facilities.”*

4. City Hall HVAC Replacement Project (CIP No. 10444)

Approximately two years ago, three of the five condensing units of the City Hall HVAC system failed and were rendered inoperable, resulting in a total cooling capacity of 40% for the three-story building. Furthermore, during FY 2017-18, the City Hall boiler had completely failed eliminating all heating capacity of the HVAC unit. As a reasonably controlled temperature is essential for a productive and safe work environment, particularly during the hot summer months and cold winter season, the replacement of the original HVAC system quickly became an urgent and essential task. Acknowledging the importance of this need, on February 21, 2017, using a quote provided by the City’s existing HVAC maintenance company, the City Council took action to earmark a portion (\$93,325) of the General Fund excess reported in the FY 2015-16 audited financial statements for this project. However, during the contracted project engineer’s (Diseno Group) preparation of bid sets, some issues became apparent that the existing HVAC system did not meet current code requirements. Two of the largest code upgrades were to properly and adequately vent the boiler to the outside and to relocate the electrical disconnects for the boiler pumps that had been previously located behind the unit. Furthermore, technical discoveries identified some other major equipment needed to be replaced concurrently with the replacement of the HVAC system, including the operating controller, electrical phase converter for the new cooling equipment, and a new damper for the hot water heater and various valves and gauges.

Ultimately, with this new information from the contracted project engineer outlining significantly expanded specifications, the competitive bids came in much higher than previously estimated. On July 18, 2017, the City Council awarded contract to the lowest responsive and responsible bidder (Servi-Tech Controls) to perform the project. Noting that the previous earmark of General Fund excess fell short of the project’s revised estimated cost, the City Council authorized the transfer of \$170,126 from the Clayton Financing Authority to bridge the gap in funding for this urgent project. Although this project was largely completed in FY 2017-18, the Notice of Completion was not presented to the City Council for approval until December 18, 2018 as a result of several “punch list” tasks rolling into FY 2018-19. This project was completed during FY 2018-19 with total costs since inception coming in at \$256,575.

Projected Expenditures in FY 2018-19: **\$26,717**

*General Plan Conformity: Replacing components of the HVAC system in City Hall conforms to the General Plan by supporting Policy 1g of the Community Facilities Element to “[i]dentify needs for public facilities including City Hall capacity, library and cultural facilities.”*

5. Oak Street Bungalow Demolition (CIP No. 10445)

Following the adoption of the FY 2018-19 CIP budget, on February 5, 2019, the City Council awarded a low-bid contract to Resource Environmental, Inc. for the demolition of the old City Hall bungalows located at 1005 and 1007 Oak Street in the Town Center. These City-owned bungalows have been unused, sitting empty and boarded-up for several years. Demolition of both buildings became a priority during FY 2018-19 since their deteriorated condition rendered them uninhabitable. The two buildings contained mold, and were an



attractive nuisance for children near the pick-up location on Oak Street below Mt. Diablo Elementary School as well as for youth lingering in the downtown area. Originally, it was hoped a prospective buyer of the underlying lands for development of the sites would incur the cost of demolition, however the previously approved "Creekside Terrace Project" has not attracted a buyer since approval in July 2010 and the deterioration of the two buildings was determined unacceptable. Funding for this project was derived from unallocated reserves of CIP No. 10400 project budget. This project was completed by the close of FY 2018-19.

Projected Expenditures in FY 2018-19: **\$55,000**

*General Plan Conformity: The removal of the old City Hall bungalows on Oak Street conforms to the General Plan by supporting Policy 1g of the Community Facilities Element to "[i]dentify needs for public facilities including City Hall capacity, library and cultural facilities."*

6. Oak/Grassland Savanna Management (CIP No. 10446)

This project entails management and enhancement of oak/grassland savanna open space parcels citywide. These parcels provide wildfire protection for the City by creating a low-fuel buffer zone between open space areas and developed neighborhoods. These parcels require management to prevent noxious and invasive plants from invading and taking over the grassland savanna. Noxious and invasive plants provide higher fuel loading and deplete the buffer protecting developed neighborhoods. Initial costs for this project are estimated at \$100,000, for which the City Engineer plans to recover from a federal grant through the Federal Emergency Management Agency (FEMA).

Projected Expenditures in FY 2019-20: **\$100,000**

*General Plan Conformity: The management and enhancement of the oak/grassland savanna open space conforms to the General Plan by supporting Policy 2c of the Open Space/Conservation Element to "[r]eview each park/greenbelt area for maintenance needs..."*

7. Emergency/Auxiliary Power (CIP No. 10447)

This project entails the design, construction, and installation of an emergency/auxiliary power generator for City Hall, the Corporation Yard, and the Clayton Community Library building allowing the City to remain functional during a power outage or disaster. Initial costs for this project are estimated at \$100,000, which will be recoverable through a Federal grant with FEMA.

Projected Expenditures in FY 2019-20: **\$100,000**

*General Plan Conformity: The design, construction, and installation of emergency/auxiliary power generators for City facilities conforms to the General Plan by supporting 1g of the Community Facilities Element to "[i]dentify needs for public facilities including City Hall capacity, library and cultural facilities..."*

8. School Intersections Enhancement Project (CIP No. 10448)

This project entails the design and installation of functional and operational enhancements to the intersections of Clayton Road and Marsh Creek Road adjacent to Diablo View Middle School, as well as Clayton Road and Mt. Zion Drive adjacent to Mt. Diablo Elementary School. These are the only two public schools located within Clayton. As a preliminary estimate, this project is projected to cost \$100,000, which will be funded by Measure J LSM local return to source revenues.

Projected Expenditures in FY 2019-20: **\$100,000**

*General Plan Conformity: The design and installation of functional and operational enhancements to intersections near schools conforms to the General Plan by supporting Policy 9c of the Circulation Element to "[p]rovide systematic upgrade of streets and roads to applicable standards" and Policy 7b of the Circulation Element to "[identify] pedestrian routes to school from different neighborhoods to make sure a safe route exists."*

9. 2020 Neighborhood Streets Repave (CIP No. 10449)

The FY 2019-20 proposed budget includes projections on ending fund balances for the Highway Users Tax Account (HUTA) gas tax and Measure J funds as of June 30, 2019, as well as corresponding fund revenue projections for the upcoming fiscal year. It is projected there will be unallocated HUTA gas tax, Measure J local return to source, and Measure J Program 28A Co-op reserves of \$350,535, \$214,412, and \$34,530 respectively. The combination of these sources results in total funding of \$599,477 available for a 2020 Neighborhood Streets project. Accordingly, as a placeholder project, the proposed budget includes appropriations for this project and assumes the project would be completed by the end of FY 2019-20. Following a neighborhood street assessment and competitive bid procedures by the City Engineer, it is expected a construction contract will be recommended to the City Council for consideration sometime in FY 2019-20.

Projected Expenditures in FY 2019-20: **\$599,477**

*General Plan Conformity: The paving of neighborhood streets conforms to the General Plan by supporting Policy 9c of the Circulation Element to "[p]rovide systematic upgrade of streets and roads to applicable standards."*

10. Downtown Pedestrian Improvement (CIP No. 10450)

On June 21, 2017, the City of Clayton was awarded a grant of \$252,000 for pedestrian safety improvements in the Town Center through the Measure J Transportation for Livable Communities program, administered by Contra Costa Transportation Authority (CCTA). Thereafter, on October 17, 2017 the City Council approved a Master Cooperative Funding Agreement with the CCTA outlining the roles and responsibilities of the City and CCTA. The scope of this project entails the installation of two raised and lighted crosswalks at Oak and Center Streets in the Town Center as well as a table top lighted intersection at Marsh Creek Road and Main Street. Following competitive bidding procedures, staff expects a construction contract to be recommended to the City Council for consideration sometime in early FY 2019-20.

Projected Expenditures in FY 2019-20: **\$252,000**

*General Plan Conformity: The installation of pedestrian improvements in the Town Center conforms to the General Plan by supporting Policy 9c of the Circulation Element to "[p]rovide systematic upgrade of streets and roads to applicable standards."*

11. Green Infrastructure (CIP No. 10451)

Mandated in MRP 2.0 by the San Francisco Regional Water Quality Control Board, this project entails retrofitting of existing impervious surfaces and storm drain infrastructure with green infrastructure (GI), and that it be evaluated, analyzed, planned for, costed, and reported upon. Specifically, this project entails the preparation a GI Plan, due October 2019, which identifies opportunity areas for the inclusion of future GI projects, preparation and showing of estimated costs/budgets within the CIP based upon the GI Plan, and the City review and update, as needed, of the standard engineering design and planning policies/ordinances to incorporate GI. During FY 2019-20, the City intends to prepare its GI Plan, estimated to cost approximately \$50,000. The City Council has already authorized this to be funded with FY 2016-17 General Fund excess reserves. Once the plan is completed, it is anticipated future CIP budgets will incorporate additional projects with specific project costs and timelines.

Projected Expenditures in FY 2019-20: **\$50,000**

*General Plan Conformity: The retrofitting of existing impervious surfaces and storm drain infrastructure with green infrastructure (GI) conforms to the General Plan by supporting the primary Goal of the Community Facilities Element “[t]o provide for an efficient infrastructure and facility plan and program for improvement of existing infrastructure.”*

The above CIP projects represent a total projected Capital Related Expenditure in the amount of \$1,591,993.

Based on its review and analysis of the above projects and related General Plan policies, staff concludes that the specified CIP projects listed and described above are consistent and conform with the City of Clayton General Plan. With each of the project listings/descriptions above, staff has provided a brief summary of applicable General Plan policies that support this conclusion.

**CEQA**

Pursuant to the California Environmental Quality Act (CEQA), Section 15061(b)(3), it can be seen with certainty that there is no possibility that finding the Fiscal Year 2019-2020 Capital Improvement Program in conformance with the City’s General Plan may have a significant effect on the environment; it is therefore not subject to CEQA, and, additionally, since this is a consistency finding, the previous environmental documentation for the General Plan is adequate CEQA documentation.

**RECOMMENDATION**

Staff recommends that the Planning Commission find the specified City’s CIP projects for the FY 2019-2020 are in conformity with the Clayton General Plan and there is no possibility this finding may have a significant effect on the environment.

**ATTACHMENT**

A. Resolution No. 03-19, Planning Commission Finding That Fiscal Year 2019-2020 Capital Improvement Program Projects Conform With The City of Clayton General Plan (GPA-01-19)

**CITY OF CLAYTON  
PLANNING COMMISSION  
RESOLUTION NO. 03-19**

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**THE PLANNING COMMISSION FINDING  
THAT FISCAL YEAR 2019-2020 CAPITAL IMPROVEMENT PROGRAM PROJECTS  
CONFORM WITH THE CITY OF CLAYTON GENERAL PLAN  
(GPA-01-19)**

**WHEREAS**, Section 65401 of the California Government Code requires the Planning Commission to determine if projects proposed in a City's Capital Improvement Program (CIP) for the upcoming fiscal year (FY) are in conformity with the jurisdiction's adopted General Plan; and

**WHEREAS**, on May 28, 2019, the City of Clayton Planning Commission was presented a listing of CIP projects, with individual project descriptions and relevant General Plan goals and policies related to the upcoming FY 2019-2020 for the purpose of determining their conformity with the City's General Plan; and

**WHEREAS**, proper notice of this public hearing was given in all respects as required by law; and

**WHEREAS**, at May 28, 2019 hearing, the Clayton Planning Commission received and considered testimony, both oral and documentary, regarding the conformity of the listed FY 2019-2020 CIP projects with the City of Clayton General Plan; and

**WHEREAS**, pursuant to the California Environmental Quality Act (CEQA), Section 15061(b)(3), it can be seen with certainty that there is no possibility that finding the Fiscal Year 2019-2020 Capital Improvement Program in conformance with the City's General Plan may have a significant effect on the environment, it is therefore not subject to CEQA, and, additionally, since this is a consistency finding, the previous environmental documentation for the General Plan is adequate CEQA documentation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission determines the following:

- (1) The finding of conformity of the FY 2019-2020 CIP projects with the City of Clayton General Plan is not subject to CEQA; and
- (2) The listing of the FY 2019-2020 CIP projects (**Exhibit A**) conforms to the City of Clayton General Plan.

**PASSED AND ADOPTED** by the Planning Commission of the City of Clayton at a regular meeting on the 28<sup>th</sup> day of May, 2019.

Planning Commission  
Resolution No. 03-19

APPROVED:

ATTEST:

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Bassam Altwal  
Chair

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David Woltering, AICP  
Interim Community Development Director

**ATTACHMENT**

Exhibit A – Listing of City of Clayton Fiscal Year 2019-2020 Capital Improvement Program (CIP)  
Projects

# Exhibit A

## Listing of City of Clayton Fiscal Year 2019-2020 Capital Improvement Program (CIP) Projects (GPA-01-19)

### 1. Clayton Community Park Lower Field Rehabilitation (CIP No. 10440)

In response to feedback from soccer and baseball groups and an on-site assessment of the premises, a rehabilitation of the lower baseball/softball field (Field #1) in the Clayton Community Park was incorporated into the CIP budget two years ago. The City's Maintenance Department previously estimated costs of the rehabilitation project to be approximately \$50,000, which was approved to be funded by a partial allocation of the garbage franchise community enhancement fee. However, a re-examination of the original project budget by the City Engineer resulted in a revised project estimate of \$100,000, with the additional costs currently being presented as "unfunded" in the FY 2018-19 CIP budget requiring additional City Council direction. It is expected this project will commence and be completed in FY 2019-20 once identification and authorization of gap funding is given.

Projected Expenditures in FY 2019-20: **\$100,000**

*General Plan Conformity: The rehabilitation of playing fields at Clayton Community Park conforms to the General Plan by supporting Policy 2c of the Open Space/Conservation Element to "[r]eview each park/greenbelt area for maintenance needs..." and Policy 3a of the Community Facilities Element to "[i]dentify the facilities desired by the community, i.e., soccer/playfield, swimming complex, tennis courts, library, community playhouse and public meeting rooms."*

### 2. North Valley Playground Rehabilitation (CIP No. 10442)

In response to feedback from residents in the community and an on-site assessment of the premises, a rehabilitation of the North Valley neighborhood park tot lot and surrounding premises was incorporated into the CIP budget two years ago. The scope of work includes replacement of the resilient play surface, purchase and installation of new play apparatus, planting of "shade" trees, and installation of three (3) shade structures similar to those at the Clayton Community Park Picnic Area #5. The purpose of the shade structures is to provide much needed shelter from the sun given the absence of mature shade-providing trees in the park.

The CIP budget includes a total estimated project cost of \$168,575, equal to the funding authorized and currently available. The City Council authorized funding for this project from

two sources. The portion of the Open Space In-Lieu development impact fee balance designated for “active areas” will provide \$142,000 in funding for the project, with the remaining \$23,800 in funding coming from unallocated CIP fund interest earnings. Throughout FY 2018-19 staff has been prudently attempting to obtain competitive quotes as stipulated by the City’s procurement policy, despite repeated delays given the limited number of contractors that are willing and able to provide such a quote. Staff expects a recommendation for award of contract will be provided to the City Council by the close of FY 2018-19 with construction expected to commence and be completed in FY 2019-20.

Projected Expenditures in FY 2019-20: **\$168,575**

*General Plan Conformity: The rehabilitation of the playground at North Valley Neighborhood Park conforms to the General Plan by supporting Policy 2c of the Open Space/Conservation Element to “[r]eview each park/greenbelt area for maintenance needs...” and Policy 3a of the Community Facilities Element to “[i]dentify the facilities desired by the community, i.e., soccer/playfield, swimming complex, tennis courts, library, community playhouse and public meeting rooms.”*

3. City Hall Front Door ADA Accessibility Project (CIP No. 10443)

This project was added by the City Council to the CIP budget during FY 2017-18 to address feedback from constituents that the City Hall entryway doors were extremely heavy and difficult for some to open, bringing into question compliance with the Americans with Disabilities Act (ADA). Further related research by the City Attorney’s office resulted in a finding that, despite its historical status and listing on the California Register of Historic Buildings, the Clayton City Hall building is not exempt from compliance with the rigorous ADA requirements. Accordingly, on September 19, 2017, the City Council awarded a low-bid contract to Greentech Industry to bring the entryway doors of City Hall into compliance. Pursuant to project specifications prepared by the City Engineer, the scope of this project included the installation of a push-button activated power door opening system for the main entry door, one of the two interior lobby entry doors, and for the City Hall Courtyard exterior public restroom door. Funding for this project, in order of significance, was derived from community facilities development impact fees, City Council earmarked General Fund excess reserves, and undesignated CIP fund interest earnings. This project is expected to be completed during FY 2019-20 with total costs since inception estimated at \$46,666.

Projected Expenditures in FY 2018-19: **\$40,224**

*General Plan Conformity: Improving City Hall to address ADA accessibility requirements conforms to the General Plan by supporting Policy 1g of the Community Facilities Element to “[i]dentify needs for public facilities including City Hall capacity, library and cultural facilities.”*

4. City Hall HVAC Replacement Project (CIP No. 10444)

Approximately two years ago, three of the five condensing units of the City Hall HVAC system failed and were rendered inoperable, resulting in a total cooling capacity of 40% for

the three-story building. Furthermore, during FY 2017-18, the City Hall boiler had completely failed eliminating all heating capacity of the HVAC unit. As a reasonably controlled temperature is essential for a productive and safe work environment, particularly during the hot summer months and cold winter season, the replacement of the original HVAC system quickly became an urgent and essential task. Acknowledging the importance of this need, on February 21, 2017, using a quote provided by the City's existing HVAC maintenance company, the City Council took action to earmark a portion (\$93,325) of the General Fund excess reported in the FY 2015-16 audited financial statements for this project. However, during the contracted project engineer's (Diseno Group) preparation of bid sets, some issues became apparent that the existing HVAC system did not meet current code requirements. Two of the largest code upgrades were to properly and adequately vent the boiler to the outside and to relocate the electrical disconnects for the boiler pumps that had been previously located behind the unit. Furthermore, technical discoveries identified some other major equipment needed to be replaced concurrently with the replacement of the HVAC system, including the operating controller, electrical phase converter for the new cooling equipment, and a new damper for the hot water heater and various valves and gauges.

Ultimately, with this new information from the contracted project engineer outlining significantly expanded specifications, the competitive bids came in much higher than previously estimated. On July 18, 2017, the City Council awarded contract to the lowest responsive and responsible bidder (Servi-Tech Controls) to perform the project. Noting that the previous earmark of General Fund excess fell short of the project's revised estimated cost, the City Council authorized the transfer of \$170,126 from the Clayton Financing Authority to bridge the gap in funding for this urgent project. Although this project was largely completed in FY 2017-18, the Notice of Completion was not presented to the City Council for approval until December 18, 2018 as a result of several "punch list" tasks rolling into FY 2018-19. This project was completed during FY 2018-19 with total costs since inception coming in at \$256,575.

Projected Expenditures in FY 2018-19: **\$26,717**

*General Plan Conformity: Replacing components of the HVAC system in City Hall conforms to the General Plan by supporting Policy 1g of the Community Facilities Element to "[i]dentify needs for public facilities including City Hall capacity, library and cultural facilities."*

5. **Oak Street Bungalow Demolition (CIP No. 10445)**

Following the adoption of the FY 2018-19 CIP budget, on February 5, 2019, the City Council awarded a low-bid contract to Resource Environmental, Inc. for the demolition of the old City Hall bungalows located at 1005 and 1007 Oak Street in the Town Center. These City-owned bungalows have been unused, sitting empty and boarded-up for several years. Demolition of both buildings became a priority during FY 2018-19 since their deteriorated condition rendered them uninhabitable. The two buildings contained mold, and were an attractive nuisance for children near the pick-up location on Oak Street below Mt. Diablo Elementary School as well as for youth lingering in the downtown area. Originally, it was hoped a prospective buyer of the underlying lands for development of the sites would incur



the cost of demolition, however the previously approved "Creekside Terrace Project" has not attracted a buyer since approval in July 2010 and the deterioration of the two buildings was determined unacceptable. Funding for this project was derived from unallocated reserves of CIP No. 10400 project budget. This project was completed by the close of FY 2018-19.

Projected Expenditures in FY 2018-19: \$55,000

*General Plan Conformity: The removal of the old City Hall bungalows on Oak Street conforms to the General Plan by supporting Policy 1g of the Community Facilities Element to "[i]dentify needs for public facilities including City Hall capacity, library and cultural facilities."*

6. Oak/Grassland Savanna Management (CIP No. 10446)

This project entails management and enhancement of oak/grassland savanna open space parcels citywide. These parcels provide wildfire protection for the City by creating a low-fuel buffer zone between open space areas and developed neighborhoods. These parcels require management to prevent noxious and invasive plants from invading and taking over the grassland savanna. Noxious and invasive plants provide higher fuel loading and deplete the buffer protecting developed neighborhoods. Initial costs for this project are estimated at \$100,000, for which the City Engineer plans to recover from a federal grant through the Federal Emergency Management Agency (FEMA).

Projected Expenditures in FY 2019-20: \$100,000

*General Plan Conformity: The management and enhancement of the oak/grassland savanna open space conforms to the General Plan by supporting Policy 2c of the Open Space/Conservation Element to "[r]eview each park/greenbelt area for maintenance needs..."*

7. Emergency/Auxiliary Power (CIP No. 10447)

This project entails the design, construction, and installation of an emergency/auxiliary power generator for City Hall, the Corporation Yard, and the Clayton Community Library building allowing the City to remain functional during a power outage or disaster. Initial costs for this project are estimated at \$100,000, which will be recoverable through a Federal grant with FEMA.

Projected Expenditures in FY 2019-20: \$100,000

*General Plan Conformity: The design, construction, and installation of emergency/auxiliary power generators for City facilities conforms to the General Plan by supporting 1g of the Community Facilities Element to "[i]dentify needs for public facilities including City Hall capacity, library and cultural facilities..."*

8. School Intersections Enhancement Project (CIP No. 10448)

This project entails the design and installation of functional and operational enhancements to the intersections of Clayton Road and Marsh Creek Road adjacent to Diablo View Middle School, as well as Clayton Road and Mt. Zion Drive adjacent to Mt. Diablo Elementary School. These are the only two public schools located within Clayton. As a preliminary estimate, this project is projected to cost \$100,000, which will be funded by Measure J LSM local return to source revenues.

Projected Expenditures in FY 2019-20: **\$100,000**

*General Plan Conformity: The design and installation of functional and operational enhancements to intersections near schools conforms to the General Plan by supporting Policy 9c of the Circulation Element to “[p]rovide systematic upgrade of streets and roads to applicable standards” and Policy 7b of the Circulation Element to “[identify] pedestrian routes to school from different neighborhoods to make sure a safe route exists.”*

9. 2020 Neighborhood Streets Repave (CIP No. 10449)

The FY 2019-20 proposed budget includes projections on ending fund balances for the Highway Users Tax Account (HUTA) gas tax and Measure J funds as of June 30, 2019, as well as corresponding fund revenue projections for the upcoming fiscal year. It is projected there will be unallocated HUTA gas tax, Measure J local return to source, and Measure J Program 28A Co-op reserves of \$350,535, \$214,412, and \$34,530 respectively. The combination of these sources results in total funding of \$599,477 available for a 2020 Neighborhood Streets project. Accordingly, as a placeholder project, the proposed budget includes appropriations for this project and assumes the project would be completed by the end of FY 2019-20. Following a neighborhood street assessment and competitive bid procedures by the City Engineer, it is expected a construction contract will be recommended to the City Council for consideration sometime in FY 2019-20.

Projected Expenditures in FY 2019-20: **\$599,477**

*General Plan Conformity: The paving of neighborhood streets conforms to the General Plan by supporting Policy 9c of the Circulation Element to “[p]rovide systematic upgrade of streets and roads to applicable standards.”*

10. Downtown Pedestrian Improvement (CIP No. 10450)

On June 21, 2017, the City of Clayton was awarded a grant of \$252,000 for pedestrian safety improvements in the Town Center through the Measure J Transportation for Livable Communities program, administered by Contra Costa Transportation Authority (CCTA). Thereafter, on October 17, 2017 the City Council approved a Master Cooperative Funding Agreement with the CCTA outlining the roles and responsibilities of the City and CCTA. The scope of this project entails the installation of two raised and lighted crosswalks at Oak and Center Streets in the Town Center as well as a table top lighted intersection at Marsh Creek Road and Main Street. Following competitive bidding procedures, staff expects a

construction contract to be recommended to the City Council for consideration sometime in early FY 2019-20.

Projected Expenditures in FY 2019-20: **\$252,000**

*General Plan Conformity: The installation of pedestrian improvements in the Town Center conforms to the General Plan by supporting Policy 9c of the Circulation Element to “[p]rovide systematic upgrade of streets and roads to applicable standards.”*

11. Green Infrastructure (CIP No. 10451)

Mandated in MRP 2.0 by the San Francisco Regional Water Quality Control Board, this project entails retrofitting of existing impervious surfaces and storm drain infrastructure with green infrastructure (GI), and that it be evaluated, analyzed, planned for, costed, and reported upon. Specifically, this project entails the preparation a GI Plan, due October 2019, which identifies opportunity areas for the inclusion of future GI projects, preparation and showing of estimated costs/budgets within the CIP based upon the GI Plan, and the City review and update, as needed, of the standard engineering design and planning policies/ordinances to incorporate GI. During FY 2019-20, the City intends to prepare its GI Plan, estimated to cost approximately \$50,000. The City Council has already authorized this to be funded with FY 2016-17 General Fund excess reserves. Once the plan is completed, it is anticipated future CIP budgets will incorporate additional projects with specific project costs and timelines.

Projected Expenditures in FY 2019-20: **\$50,000**

*General Plan Conformity: The retrofitting of existing impervious surfaces and storm drain infrastructure with green infrastructure (GI) conforms to the General Plan by supporting the primary Goal of the Community Facilities Element “[t]o provide for an efficient infrastructure and facility plan and program for improvement of existing infrastructure.”*